

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**DOCKETING DEPARTMENT**

**NOTICE OF FILING**

**DOCKET NO. 2007-359-W/S**

**APPLICATION OF TOTAL ENVIRONMENTAL SOLUTIONS, INC. FOR APPROVAL OF CUSTOMER AGREEMENT AND RELATED RESPONSIBILITIES, RATES AND CHARGES**

Total Environmental Solutions, Inc. ("Applicant," "Utility," or "TESI") has filed an Application with the Public Service Commission of South Carolina ("Commission") for approval of a Customer Agreement between it and certain of TESI's customers for consideration and approval. The Application was filed pursuant 26 S.C. Code Ann. Regs. 103-541 (Supp. 2006) and other pertinent authority.

The Applicant is a public utility currently authorized to provide water and wastewater services in Oconee County, South Carolina under the jurisdiction of the Commission. TESI's current rates and charges for water and wastewater service were approved in Docket No. 2004-90-W/S by way of Order No. 2006-292(A) dated May 9, 2006.

The Applicant seeks approval of the arrangements set forth in the September 12, 2007 Consent Agreement between the South Carolina Department of Health and Environmental Control ("DHEC") and TESI related to the repair and maintenance of grinder pumps in Foxwood Hills (the "Consent Agreement"), along with the Agreement between Total Environmental Solutions, Inc. and Property Owner/Customer ("Customer Agreement") attached to that Consent Agreement. DHEC and TESI negotiated pursuant to a DHEC Board Order dated May 24, 2007, and, on September 12, 2007, came to an agreement that is embodied in the Consent Agreement. In this Consent Agreement, DHEC and TESI lay out a detailed plan through which TESI will ultimately undertake the regulatory responsibility for the repair and maintenance of certain current and future grinder pumps located on customer properties in Foxwood Hills.

According to the Application, the Customer Agreement addresses TESI's need for access to grinder pumps on the customers' premises for inspection, maintenance, repair and replacement, and also clearly sets forth the respective customer and utility responsibilities for the grinder pumps.

In sum, TESI seeks the following relief from the Commission:

- a. approval of the Application and Customer Agreement;
- b. approval for Applicant to seek execution of the Customer Agreement with Applicant's customers,
- c. permission for the Applicant to address the repair, maintenance and replacement of applicable grinder pumps within Foxwood Hills, in the Consent Agreement and the Customer Agreement;
- d. approval of the amendment of Applicant's tariff, as necessary, to reflect such arrangements; and
- e. either waiver of a hearing on the Application or expeditious review of the Application.

A copy of the Application can be obtained from the Commission at the following address: Public Service Commission of South Carolina, Docketing Department, 101 Executive Center Drive, Columbia, South Carolina 29210. Additionally, the Application is available on the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov) and is available from John F. Beach, Esquire and Jessica J. O. King, Esquire, Ellis Lawhorne & Sims, P.A., 1501 Main Street, 5<sup>th</sup> Floor, Post Office Box 2285, Columbia, South Carolina 29202.

A public hearing, if scheduled, will be held in Columbia, South Carolina, in the offices of the Commission at the above address, for the purpose of receiving testimony and other evidence from all interested parties regarding this Application. The time and date of this hearing will be furnished to all interested parties at a later date.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before **November 9, 2007**, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. ***Please refer to Docket No. 2007-359-W/S.***

Any person who wishes to testify and present evidence at the hearing, if scheduled, should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff at Post Office Box 11263, Columbia, South Carolina 29211 and John F. Beach, Esquire, and Jessica J. O. King, Esquire, at the above address, on or before **November 9, 2007**, and indicate the amount of time required for his presentation. ***Please refer to Docket No. 2007-359-W/S.***

Any person, who wishes to be notified of the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before **November 9, 2007. *Please refer to Docket No. 2007-359-W/S.***

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina  
Attn: Docketing Department  
Post Office Drawer 11649  
Columbia, South Carolina 29211

10/19/07